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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

GARFIELD MCFARLANE

: DOCKET NO. 10-CV-0036
SECTION "P"

VS.

: JUDGE MINALDI

J.P. YOUNG, WARDEN

: MAGISTRATE JUDGE KAY

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, an independent review of the record has led this court to conclude that the findings and conclusions are entirely correct. Accordingly, it is

ORDERED that the Motion to Dismiss be GRANTED.

IT IS FURTHER ORDERED that the petition be DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED, in Chambers, at Lake Charles, Louisiana, this 1 day of

July, 2010.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE